

On June 15, 2007, WCW filed the attached letter and affidavit of Mike Higgins, Jr., General Manager, which attests to the company's intent to use the federal support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with § 254(e) of the Federal Telecommunications Act, and for provision of the designated services required by 47 C.F.R. §54.101. This document is forwarded to your attention pursuant to 47 C.F.R. §§54.313 – 54.314 for the purpose of calculating federal universal service support for WCW.

If you require any additional information please call Rick Talbot at (512)-936-7257.

Sincerely,

A handwritten signature in cursive script that reads "Rick Talbot".

Rick Talbot – Policy Analyst  
Communication Industry Oversight Division - Texas Public Utility Commission

cc: attachment

CGKC&H #2 Rural Limited Partnership



Echelon Building II, Suite 200  
9430 Research Boulevard, Austin, TX 78759  
phone: 512-338-8473, fax: 512-346-0822

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June 15, 2007

Mr. James Galloway, Filing Clerk  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
Austin, Texas 78711

Re: Docket No. 24481 -*Designation of Common Carriers as Eligible  
Telecommunications Carriers (ETC) to Receive Federal Universal  
Funds Pursuant to the Federal Communications Commission's  
Fourteenth Report and Order Adopting a State Certification Process*

To Mr. Galloway:

On behalf of CGKC&H #2 Rural Limited Partnership d/b/a West Central Wireless and d/b/a Right Wireless, ("WCW"), I am submitting an original and eleven (11) copies of an executed affidavit on behalf of WCW concerning the above proceeding. On June 11, 2007, WCW was designated an Eligible Telecommunications Carrier ("ETC") by the Public Utility Commission of Texas ("PUC") in Docket No. 34207. As a newly-designated competitive ETC, WCW now submits the enclosed affidavit in order to comply with the state's annual certification process pursuant to PUC Substantive Rule 26.418 (j)(1) regarding carriers' use of Federal Universal Service Fund (FUSF) support. The state's certification submittal deadline is September 1, however, provisions in 26.418(j)(2) allow for subsequent certifications to be filed with the PUC. WCW respectfully requests that the PUC certify that the company is eligible for federal high cost support effective June 11, 2007 and further provide assurance to the Federal Communications Commission ("FCC") and to the Universal Service Administrative Company ("USAC").

WCW requests the PUC provide such certification to the FCC and to USAC on or before the August 10 deadline established by USAC and in accordance with provisions in CFR §54.314(d)(6)(vi), which permit support retroactive to June 11, 2007, the company's ETC designation date. Support includes the Interstate Access Support funding. Should the FCC and USAC not receive the PUC certification by the August 10 deadline, WCW understands that it will not be permitted to receive support retroactive to its ETC designation.

HEADQUARTERS:

7852 Walker Drive, Suite 200, Greenbelt, MD 20770  
phone: 301-452-7590, fax: 301-577-5575  
internet: www.jst.com, e-mail: jst@jst.com

Escondido Corporate Center, Suite 310  
1309 Corporate Center Drive, Escondido, CA 92027  
phone: 657-452-2448, fax: 657-452-1909

6849 Peachtree Dunwoody Road  
Building B-3, Suite 200, Atlanta, Georgia 30328  
phone: 770-549-2185, fax: 770-418-1608

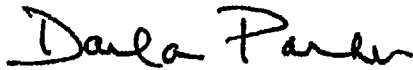
547 South Oakview Lane  
Brentwood, UT 84010  
phone: 801-294-4574, fax: 801-294-5129

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In sum, WCW respectfully requests that the PUC find acceptable the enclosed company affirmation regarding federal universal service funds usage and that certification be provided to the FCC and USAC on or before August 10, 2007.

Your cooperation in this matter is greatly appreciated. Please file-stamp the additional copies and return them to me by way of our courier. Any questions or comments may be directed to me at the above-listed address and telephone number.

Sincerely,



Darla Parker  
Authorized Representative for  
CGKC&H #2 Rural Limited Partnership d/b/a West Central Wireless and d/b/a Right  
Wireless

Enclosure

cc: Mr. Rick Talbot  
Telecom Division, Public Utility Commission of Texas

Universal Service Administrative Company (USAC)

Federal Communications Commission (FCC)

**DOCKET NO. 24481**

**DESIGNATION OF COMMON CARRIERS  
AS ELIGIBLE TELECOMMUNICATIONS  
CARRIERS (ETC) TO RECEIVE FEDERAL  
UNIVERSAL SERVICE FUNDS PURSUANT  
TO THE FEDERAL COMMUNICATIONS  
COMMISSION'S FOURTEENTH REPORT  
AND ORDER ADOPTING A STATE  
CERTIFICATION PROCESS**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**STATE OF TEXAS**

**COUNTY OF TOM GREEN**

**BEFORE ME, the undersigned authority, on this day personally appeared Mike Higgins, Jr. of CGKC&H #2 Rural Limited Partnership d/b/a West Central Wireless and d/b/a Right Wireless ("WCW" or "Company"), who on his oath deposed and said:**

**1. My name is Mike Higgins, Jr. I am employed by WCW in the position of General Manager. In this position, I am personally familiar with the Federal Universal Service support received by the Company and how the Company uses these funds.**

**2. WCW was designated as an eligible telecommunications carrier by the Public Utility Commission of Texas in Docket No. 34207, by order dated June 11, 2007.**

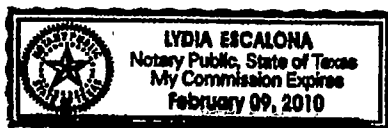
**3. The Federal Universal Service support funds received by WCW are used only for the provision, maintenance, and upgrading of facilities for which the support is intended, as designated by the Federal Communications Commission consistent with §254(e) of the federal**


Telecommunications Act. These funds will be used to provide the supported services as designated in 47 C.F.R. §54.101 which are available throughout the Company's study area.

4. The matters addressed above are within my personal knowledge and are true and correct.

  
Mike Higgins, Jr., General Manager

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, on this  
the 14<sup>th</sup> day of June, 2007.



  
Notary Public  
State of Texas

SEAL:

**Paul Hudson**  
Chairman

**Julie Parsley**  
Commissioner

**Barry T. Smitherman**  
Commissioner

**W. Lane Lanford**  
Executive Director



## ***Public Utility Commission of Texas***

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Marlene H. Dortch - Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W. - TWA 325  
Washington, D.C. 20554

Irene Flannery - Vice-President of High Cost and Low Income Divisions  
Universal Service Administrative Company  
2000 L. Street, NW - Suite 200  
Washington, D.C. 20036

June 13, 2007

**RE: Federal-State Joint Board on Universal Service, CC Docket No. 96-45**

**PUCT Project No. 25787 - FCC Letters Regarding ETC Designation Pursuant to  
FTA '96 §214(e) (2)**

**PUCT Docket No. 34207 - Application of CGKC&H #2 Rural Limited  
Partnership d/b/a West Central Wireless and d/b/a Right Wireless for  
Designation as an Eligible Telecommunications Carrier**

**ETC Designation of CGKC&H #2 Rural Limited Partnership d/b/a West Central  
Wireless and d/b/a Right Wireless**

Pursuant to Section 214(e) (2) of the Communications Act of 1934, as amended (the "Act") and 47 C.F.R. sections 54.201 - 54.203, the Public Utility Commission of Texas (PUCT) has granted eligible telecommunications carrier (ETC) designation to CGKC&H #2 Rural Limited Partnership d/b/a West Central Wireless and d/b/a Right Wireless (WCW or the Company). The attached *Order No. 3*, Docket No. 34207, issued on June 11, 2007, grants WCW ETC designation throughout the non-rural telephone company wire centers of Verizon Southwest contained in Attachment D of its application with the exception of the Menard wire center. WCW is designated only in that area of the Menard wire center that lies outside of Kendall County.



An Equal Opportunity Employer



Control Number: 34207



Item Number: 11

Addendum StartPage: 0

If you require any additional information please call Rick Talbot at (512)-936-7257.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Talbot". The signature is fluid and cursive, with the first name "Rick" and last name "Talbot" clearly distinguishable.

Rick Talbot – Policy Analyst  
Communications Industry Oversight Division - Public Utility Commission of Texas

cc: attachment

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PROJECT NO. 34207

APPLICATION OF CGKC&H #2 RURAL §  
LIMITED PARTNERSHIP FOR §  
DESIGNATION AS AN ELIGIBLE §  
TELECOMMUNICATIONS CARRIER §

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**ORDER NO. 3  
NOTICE OF APPROVAL FOR DESIGNATION AS  
AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

***Procedural History***

On April 25, 2007, CGKC&H #2 Rural Limited Partnership d/b/a West Central Wireless and d/b/a Right Wireless (WCW or the Company) filed an application for designation as an eligible telecommunications carrier (ETC) pursuant to P.U.C. SUBST. R. 26.418. WCW is a facility-based provider of Commercial Mobile Radio Service (CMRS) as licensed by the Federal Communications Commission (FCC), and provides CMRS through its own facilities and through network sharing arrangements with neighboring cellular providers. WCW requested ETC designation in the non-rural telephone company wire centers of service areas of Verizon Southwest as contained in Attachment D of its application. Verizon is a non-rural incumbent local exchange carrier. WCW seeks designation throughout the wire centers listed with the exception of the Menard wire center. WCW seeks ETC designation only in that area of the Menard wire center that lies outside of Kendall County.

The Commission issued Order No. 1 in this proceeding, which established a procedural schedule, including deadlines for comment, motions to intervene, and publication of notice in the *Texas Register*. Notice was published in the *Texas Register* on May 11, 2007. The Applicant provided a copy of the application to the Office of Public Utility Counsel at the time of filing. Pursuant to P.U.C. SUBST. R. 26.418(g)(2)(A)(i), the effective date shall be no earlier than 30 days after the filing date of the application or 30 days after notice is completed, whichever is later. On April 27, 2007, WCW filed an amendment to Attachment E of its application to clarify the area in which it seeks ETC designation.

No objection, comment, or motions to intervene were filed, and no hearing was requested. P.U.C. SUBST. R. 26.418(g)(2)(A) provide that applications for ETC designation may be reviewed administratively.

On June 5, 2007, Commission Staff (Staff) filed a recommendation for approval of ETC status for WCW based on the following:

***Designation as Eligible Telecommunications Carrier***

To qualify for ETC status, a carrier must meet four conditions:<sup>1</sup>

1. The carrier must be a common carrier, as that term is defined by the Federal Telecommunications Act of 1996 (FTA), Section 3(10).
2. The carrier must offer the following services (requisite services),<sup>2</sup> using its own facilities or a combination of its own facilities and the resale of another carrier's services:<sup>3</sup>
  - (a) voice grade access to the public switched network;
  - (b) local usage;
  - (c) dual tone multi frequency signaling or its functional equivalent;
  - (d) single party service or its functional equivalent;
  - (e) access to emergency services, including such services as 911 or enhanced 911;
  - (f) access to operator services;
  - (g) access to interexchange service;
  - (h) access to directory assistance; and
  - (i) toll blocking for qualifying low income customers, and
  - (j) toll control for qualifying low-income customers.
3. The carrier must advertise the availability of and charges for the requisite services in a media of general distribution.<sup>4</sup>
4. The carrier must provide Lifeline and Link Up support, and may not collect a deposit from a customer receiving such support if the customer also elects toll blocking.<sup>5</sup>

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<sup>1</sup> 47 C.F.R. § 54.201(b)-(d) (2001).

<sup>2</sup> 47 C.F.R. § 54.101 (2001).

<sup>3</sup> 47 C.F.R. § 54.201 (2001).

<sup>4</sup> *Id.*

WCW meets all of the above criteria. WCW has not requested any waivers of FCC requirements. WCW commits to offer toll limitation services in accordance with 47 C.F.R. §§ 54.400 and 54.401.

Verizon serves the exchanges for which WCW requests USF support. Verizon is not a rural carrier.

Staff stated that WCW meets all of the requirements established by the FCC for designation as an ETC.

***Ordering Paragraph***

In accordance with Staff's recommendation and for all the reasons stated therein, WCW's application for ETC designation is **APPROVED**, as amended, effective June 11, 2007.

SIGNED AT AUSTIN, TEXAS the 11<sup>th</sup> day of June 2007.

**PUBLIC UTILITY COMMISSION OF TEXAS**

  
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**ANDREW KANG**  
**ADMINISTRATIVE LAW JUDGE**

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<sup>5</sup> 47 C.F.R. § 54.405 (2001).